

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

CHRISTOPHER HOLDER

PLAINTIFF

v.

No. 4:20-CV-4022-SOH

COOPER TIRE & RUBBER COMPANY

DEFENDANT

JOINT RULE 26(f) REPORT

Plaintiff, Christopher Holder, and Defendant, Cooper Tire & Rubber Company, hereby submit their Rule 26(f) Report:

1. Any changes in timing, form, or requirements of mandatory disclosures under Federal Rule of Civil Procedure 26(a).

Yes. Mandatory disclosures shall be made in accordance with the form and requirements set forth in Fed. R. Civ. P. 26(a), but pursuant to timeline set forth below.

2. Date when mandatory disclosures were or will be made.

The parties will exchange disclosures required by Rule 26(a)(1) on or before June 10, 2020. The parties will exchange disclosures required by Rule 26(a)(2) as follows:

Plaintiff will disclose and issue expert reports, if any, 180 days prior to trial.

Defendant will disclose issue expert reports, if any, 120 days prior to trial.

Plaintiff will disclose rebuttal expert reports, if any, 90 days prior to trial.

3. Subjects on which discovery may be needed.

All aspects of the pleadings, allegations, denials, defenses, and damages.

4. Whether any party will likely be requested to disclose or produce information from electronic or computer-based media.

Yes. The parties anticipate seeking from one another discovery of electronic stored information (“ESI”) reasonably available to the parties in the ordinary course of business.

If so, whether:

a. Disclosure or production will be limited to data reasonably available to the parties in the ordinary course of business.

At this time, the parties anticipate that production of ESI will be limited to that available to the parties in the ordinary course of business.

b. The anticipated scope, cost, and time required for disclosure or production of data beyond what is reasonably available to the parties in the ordinary course of business.

At this time, the parties do not anticipate that production of ESI will be required beyond what is reasonably available to the parties in the ordinary course of business.

c. The format and media agreed to by the parties for the production of such data as well as agreed procedures for such production.

The parties agree that any ESI will be produced in hard copy or electronically (PDF or TIF) at the option of the party supplying such data.

d. Reasonable measures have been taken to preserve potentially discoverable data alteration or destruction in the ordinary course of business or otherwise.

The parties have instructed their clients to preserve all potentially responsive information.

e. Other problems which the parties anticipate may arise in connection with electronic or computer-based discovery.

The parties do not anticipate any such issues at this time. The parties agree to confer to resolve any issues which may arise.

5. Date by which discovery should be completed.

90 days before trial.

6. Any needed changes in limitations imposed by the Federal Rules of Civil Procedure.

None.

7. Any orders, e.g., protective orders, which should be entered.

The parties do not anticipate the need for any such order at this time, but if such changes the parties will work together to prepare one for the Court's consideration of entry.

8. Any objections to initial disclosures on the ground that mandatory disclosures are not appropriate under the circumstances of this action.

None.

9. Any objections to proposed trial date.

None.

10. Proposed deadline for joining other parties and amending the pleadings.

180 days before trial.

11. Proposed deadline for completing discovery.

90 days before trial.

12. Proposed deadline for filing motions other than motions for class certification.

Deadline for all motions except motions in limine: 60 days before trial;

Deadline for motions in limine: 14 days before trial.

Dated: June 2, 2020

Respectfully submitted,

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